

REMARKS

The claims presented by way of this preliminary amendment are supported by the Specification as filed. The references cited in connection with the parent application do not teach or suggest, alone or in combination, communicating information between Internet protocol (IP) hosts within a vehicle equipped with a controller area network (CAN) bus and vehicle modules within the vehicle by encapsulating an IP message in a CAN protocol message to create a CAN/IP message, wherein the CAN/IP message includes an IP destination address. These references include, Spaur et al., U.S. Patent No. 5,732,074 (hereinafter "Spaur"), Bender et al., U.S. Patent No. 6,535,918 (hereinafter "Bender"), and Christensen et al., U.S. Patent No. 6,330,605 (hereinafter "Christensen")

Spaur discusses data communications between a remote computer and a vehicle including a controller/network protocol converter, a controller area network control unit and controller area network (CAN) vehicle devices (see Figure 2). The vehicle devices format their data according to CAN protocol for CAN bus transmission. The data is sent via the CAN bus to the controller area network control unit where the data is stored in an HTML (hyper text markup language) format so that a web server can access and configure the data for Internet transmission to the remote computer (IP host). The present claims, however, recite communicating information between Internet protocol (IP) hosts within a vehicle equipped with a control area network (CAN) bus. In other words, the communication in Spaur is between an IP host utilizing a CAN protocol converter to convert CAN data into HTML data to create a page and a remote IP host to receive the page, and not between IP hosts that are located on the CAN bus within the vehicle.

Spaur also does not teach or suggest an IP host encapsulating an IP message in a CAN protocol message to create a CAN/IP message, wherein the CAN/IP message includes an IP destination address. Spaur discusses two scenarios, transmitting data from a CAN device to a remote IP host and receiving data from the remote IP hosts destined for a CAN device. In the first scenario, Spaur discusses storing data received from the CAN devices in an HTML format in order to generate a page for Internet transmission to the remote IP host. Therefore, data received from

the CAN bus would not be an IP message encapsulated in a CAN protocol message to create a CAN/IP message since that would be incompatible with an Internet transmission.

In the second scenario, Spaur does not specifically disclose how information from a remote IP host, such as control parameters for a CAN device, is converted to CAN protocol. However, it can reasonably be inferred that the information must be converted to CAN protocol since the CAN devices disclosed are not IP hosts that can process IP information. In other words, the information sent along the CAN bus is not from an IP host encapsulating an IP message in a CAN protocol message to create a CAN/IP message, but reformatted IP data such that it can be received and processed by a CAN device. Spaur's disclosure that the CAN devices may have an IP address is irrelevant. An IP address alone does not make a device capable of processing IP messages. Spaur discloses the IP address associated with a CAN device makes the device appear or act (to a remote IP host) as if is a TCP/IP device and further discloses that the controller recognizes the IP address and is able to provide the requested link to the device. In other words, provide the appropriate CAN bus address for the corresponding IP address because the CAN device is not an IP host capable of receiving and processing IP messages.

In sum, Spaur does not disclose an IP host encapsulating an IP message in a CAN protocol message to create a CAN/IP message, wherein the CAN/IP message includes an IP destination address, nor does Spaur disclose communicating information between IP hosts within a vehicle equipped with a CAN bus and vehicle modules within the vehicle. Consequently, the claims as recited are patentable over Spaur.

Christensen fails to cure Spaur's defects. Christensen discusses a proxy server that receives a request packet from a client directed toward a network address. If the client is authorized to access services from the website, the proxy server attempts to fulfill the client's request from local resources or, if the request cannot be filled, forwards the request to its associated web server application. Christensen does not discuss an IP host encapsulating an IP message in a CAN protocol message to create a CAN/IP message, wherein the CAN/IP message includes an IP

destination address, nor communicating information between IP hosts within a vehicle equipped with a CAN bus and vehicle modules within the vehicle. Consequently, the claims as recited are patentable over Spaur in view of Christensen.

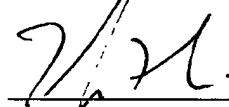
Bender also fails to supply the missing elements of Spaur. Bender describes a wireless network wherein a wireless modem is configured to receive packets from terminal equipment over a wireless medium. Although Bender discusses IP addresses and encapsulated IP datagrams within Ethernet packets, it fails to discuss an IP host encapsulating an IP message in a CAN protocol message to create a CAN/IP message, wherein the CAN/IP message includes an IP destination address, nor communicating information between IP hosts within a vehicle equipped with a CAN bus and vehicle modules within the vehicle. Therefore, the recited claims are patentable over Spaur in view of Christensen in further view of Bender.

For all of the foregoing reasons, the claims are patentable over the references cited and discussed above. If there are any additional fees due in connection with this communication, please charge our deposit account no. 02-2666.

Respectfully submitted,

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